

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

|                              |   |                                     |
|------------------------------|---|-------------------------------------|
| JEFFREY ANTONIO BROWN,       | : | Case No. 3:08-cv-477                |
|                              | : |                                     |
| Petitioner,                  | : | Judge Timothy S. Black              |
|                              | : | Magistrate Judge Sharon L. Ovington |
| vs.                          | : |                                     |
|                              | : |                                     |
| WARDEN, Lebanon Correctional | : |                                     |
| Institution                  | : |                                     |
|                              | : |                                     |
| Respondent.                  | : |                                     |

**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATIONS OF THE  
UNITED STATES MAGISTRATE JUDGE (Doc. 69); (2) OVERRULING  
PETITIONER'S OBJECTIONS (Doc. 72); and (3) TRANSFERRING  
PETITIONER'S MOTION FOR RELIEF FROM JUDGMENT (Doc. 68) TO THE  
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Sharon L. Ovington. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on March 2, 2012 submitted a Report and Recommendations. (Doc. 69). Subsequently, the Petitioner filed Objections to the Report and Recommendations. (Doc. 72).

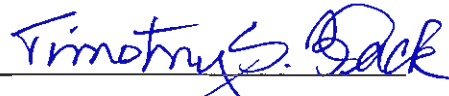
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety; and Petitioner's Objections to the Report and Recommendations are overruled.

Accordingly:

1. The Report and Recommendations (Docs. 69) is **ADOPTED**;
2. Petitioner's Objections (Doc. 72) are **OVERRULED**;
3. Petitioner's Motion for Relief from Judgment under Fed. R. Civ. P. 60(b) (Doc. 68) is **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. § 2244(b)(3)(A); and
4. This case remains terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: 4/9/12

  
Timothy S. Black  
United States District Judge